

Union Calendar No. 110

110TH CONGRESS
1ST SESSION

H. R. 2642

[Report No. 110–186]

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2007

Mr. EDWARDS, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for
5 military construction, the Department of Veterans Affairs,

1 and related agencies for the fiscal year ending September
2 30, 2008, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF DEFENSE

5 MILITARY CONSTRUCTION, ARMY

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, military
8 installations, facilities, and real property for the Army as
9 currently authorized by law, including personnel in the
10 Army Corps of Engineers and other personal services nec-
11 essary for the purposes of this appropriation, and for con-
12 struction and operation of facilities in support of the func-
13 tions of the Commander in Chief, \$4,070,959,000, to re-
14 main available until September 30, 2012: *Provided*, That
15 of this amount, not to exceed \$481,468,000 shall be avail-
16 able for study, planning, design, architect and engineer
17 services, and host nation support, as authorized by law,
18 unless the Secretary of Defense determines that additional
19 obligations are necessary for such purposes and notifies
20 the Committees on Appropriations of both Houses of Con-
21 gress of the determination and the reasons therefor.

22 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

23 (INCLUDING RESCISSION OF FUNDS)

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, naval in-

1 stallations, facilities, and real property for the Navy and
2 Marine Corps as currently authorized by law, including
3 personnel in the Naval Facilities Engineering Command
4 and other personal services necessary for the purposes of
5 this appropriation, \$2,125,138,000, to remain available
6 until September 30, 2012: *Provided*, That of this amount,
7 not to exceed \$110,167,000 shall be available for study,
8 planning, design, and architect and engineer services, as
9 authorized by law, unless the Secretary of Defense deter-
10 mines that additional obligations are necessary for such
11 purposes and notifies the Committees on Appropriations
12 of both Houses of Congress of the determination and the
13 reasons therefor: *Provided further*, That of the funds ap-
14 propriated for “Military Construction, Navy and Marine
15 Corps” under Public Law 108–132, \$5,862,000 are here-
16 by rescinded.

17 MILITARY CONSTRUCTION, AIR FORCE

18 (INCLUDING RESCISSION OF FUNDS)

19 For acquisition, construction, installation, and equip-
20 ment of temporary or permanent public works, military
21 installations, facilities, and real property for the Air Force
22 as currently authorized by law, \$927,428,000, to remain
23 available until September 30, 2012: *Provided*, That of this
24 amount, not to exceed \$51,587,000 shall be available for
25 study, planning, design, and architect and engineer serv-

ices, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds appropriated for “Military Construction, Air Force” under Public Law 108–324, \$5,319,000 are hereby rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$1,806,928,000, to remain available until September 30, 2012: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$154,728,000 shall be available for study, planning, design, and architect and engineer serv-

ices, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the funds appropriated for “Military Construction, Defense-Wide” under Public Law 110–5, \$7,592,000 are hereby rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$439,291,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$95,517,000, to remain available until September 30, 2012.

1 MILITARY CONSTRUCTION, ARMY RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army Reserve as authorized by chapter
5 1803 of title 10, United States Code, and Military Con-
6 struction Authorization Acts, \$154,684,000, to remain
7 available until September 30, 2012.

8 MILITARY CONSTRUCTION, NAVY RESERVE

9 For construction, acquisition, expansion, rehabilita-
10 tion, and conversion of facilities for the training and ad-
11 ministration of the reserve components of the Navy and
12 Marine Corps as authorized by chapter 1803 of title 10,
13 United States Code, and Military Construction Authoriza-
14 tion Acts, \$69,150,000, to remain available until Sep-
15 tember 30, 2012.

16 MILITARY CONSTRUCTION, AIR FORCE RESERVE

17 (INCLUDING RESCISSION OF FUNDS)

18 For construction, acquisition, expansion, rehabilita-
19 tion, and conversion of facilities for the training and ad-
20 ministration of the Air Force Reserve as authorized by
21 chapter 1803 of title 10, United States Code, and Military
22 Construction Authorization Acts, \$39,628,000, to remain
23 available until September 30, 2012: *Provided*, That of the
24 funds appropriated for “Military Construction, Air Force

1 Reserve” under Public Law 109–114, \$3,069,000 are
2 hereby rescinded.

3 NORTH ATLANTIC TREATY ORGANIZATION

4 SECURITY INVESTMENT PROGRAM

5 For the United States share of the cost of the North
6 Atlantic Treaty Organization Security Investment Pro-
7 gram for the acquisition and construction of military fa-
8 cilities and installations (including international military
9 headquarters) and for related expenses for the collective
10 defense of the North Atlantic Treaty Area as authorized
11 by section 2806 of title 10, United States Code, and Mili-
12 tary Construction Authorization Acts, \$201,400,000, to
13 remain available until expended.

14 FAMILY HOUSING CONSTRUCTION, ARMY

15 For expenses of family housing for the Army for con-
16 struction, including acquisition, replacement, addition, ex-
17 pansion, extension, and alteration, as authorized by law,
18 \$419,400,000, to remain available until September 30,
19 2012.

20 FAMILY HOUSING OPERATION AND MAINTENANCE,

21 ARMY

22 For expenses of family housing for the Army for op-
23 eration and maintenance, including debt payment, leasing,
24 minor construction, principal and interest charges, and in-
25 surance premiums, as authorized by law, \$742,920,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$298,329,000, to remain available until
7 September 30, 2012.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-
11 rine Corps for operation and maintenance, including debt
12 payment, leasing, minor construction, principal and inter-
13 est charges, and insurance premiums, as authorized by
14 law, \$371,404,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for
17 construction, including acquisition, replacement, addition,
18 expansion, extension, and alteration, as authorized by law,
19 \$362,747,000, to remain available until September 30,
20 2012.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
22 FORCE

23 For expenses of family housing for the Air Force for
24 operation and maintenance, including debt payment, leas-
25 ing, minor construction, principal and interest charges,

1 and insurance premiums, as authorized by law,
2 \$688,335,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and
6 agencies of the Department of Defense (other than the
7 military departments) for operation and maintenance,
8 leasing, and minor construction, as authorized by law,
9 \$48,848,000.

10 DEPARTMENT OF DEFENSE FAMILY HOUSING
11 IMPROVEMENT FUND

12 For the Department of Defense Family Housing Im-
13 provement Fund, \$500,000, to remain available until ex-
14 pended, for family housing initiatives undertaken pursu-
15 ant to section 2883 of title 10, United States Code, pro-
16 viding alternative means of acquiring and improving mili-
17 tary family housing and supporting facilities.

18 CHEMICAL DEMILITARIZATION CONSTRUCTION,
19 DEFENSE-WIDE
20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses of construction, not otherwise provided
22 for, necessary for the destruction of the United States
23 stockpile of lethal chemical agents and munitions in ac-
24 cordance with the provisions of section 1412 of the De-
25 partment of Defense Authorization Act, 1986 (50 U.S.C.

1 1521), and for the destruction of other chemical warfare
2 materials that are not in the chemical weapon stockpile,
3 as currently authorized by law, \$86,176,000, to remain
4 available until September 30, 2012: *Provided*, That such
5 amounts of this appropriation as may be determined by
6 the Secretary of Defense may be transferred to such ap-
7 propriations of the Department of Defense available for
8 military construction as the Secretary may designate, to
9 be merged with and to be available for the same purposes,
10 and for the same time period, as the appropriation to
11 which transferred.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 1990

14 For deposit into the Department of Defense Base
15 Closure Account 1990, established by section 2906(a)(1)
16 of the Defense Base Closure and Realignment Act of 1990
17 (10 U.S.C. 2687 note), \$270,689,000, to remain available
18 until expended.

19 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

20 2005

21 For deposit into the Department of Defense Base
22 Closure Account 2005, established by section 2906A(a)(1)
23 of the Defense Base Closure and Realignment Act of 1990
24 (10 U.S.C. 2687 note), \$8,174,315,000, to remain avail-
25 able until expended.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this
3 title shall be expended for payments under a cost-plus-a-
4 fixed-fee contract for construction, where cost estimates
5 exceed \$25,000, to be performed within the United States,
6 except Alaska, without the specific approval in writing of
7 the Secretary of Defense setting forth the reasons there-
8 for.

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

19 SEC. 104. None of the funds made available in this
20 title may be used to begin construction of new bases in
21 the United States for which specific appropriations have
22 not been made.

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

8 SEC. 106. None of the funds made available in this
9 title shall be used to: (1) acquire land; (2) provide for site
10 preparation; or (3) install utilities for any family housing,
11 except housing for which funds have been made available
12 in annual Acts making appropriations for military con-
13 struction.

14 SEC. 107. None of the funds made available in this
15 title for minor construction may be used to transfer or
16 relocate any activity from one base or installation to an-
17 other, without prior notification to the Committees on Ap-
18 propriations of both Houses of Congress.

19 SEC. 108. None of the funds made available in this
20 title may be used for the procurement of steel for any con-
21 struction project or activity for which American steel pro-
22 ducers, fabricators, and manufacturers have been denied
23 the opportunity to compete for such steel procurement.

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

3 SEC. 110. None of the funds made available in this
4 title may be used to initiate a new installation overseas
5 without prior notification to the Committees on Appro-
6 priations of both Houses of Congress.

7 SEC. 111. None of the funds made available in this
8 title may be obligated for architect and engineer contracts
9 estimated by the Government to exceed \$500,000 for
10 projects to be accomplished in Japan, in any North Atlan-
11 tic Treaty Organization member country, or in countries
12 bordering the Arabian Sea, unless such contracts are
13 awarded to United States firms or United States firms
14 in joint venture with host nation firms.

15 SEC. 112. None of the funds made available in this
16 title for military construction in the United States terri-
17 tories and possessions in the Pacific and on Kwajalein
18 Atoll, or in countries bordering the Arabian Sea, may be
19 used to award any contract estimated by the Government
20 to exceed \$1,000,000 to a foreign contractor: *Provided*,
21 That this section shall not be applicable to contract
22 awards for which the lowest responsive and responsible bid
23 of a United States contractor exceeds the lowest respon-
24 sive and responsible bid of a foreign contractor by greater
25 than 20 percent: *Provided further*, That this section shall

1 not apply to contract awards for military construction on
2 Kwajalein Atoll for which the lowest responsive and re-
3 sponsible bid is submitted by a Marshallese contractor.

4 SEC. 113. The Secretary of Defense is to inform the
5 appropriate committees of both Houses of Congress, in-
6 cluding the Committees on Appropriations, of the plans
7 and scope of any proposed military exercise involving
8 United States personnel 30 days prior to its occurring,
9 if amounts expended for construction, either temporary or
10 permanent, are anticipated to exceed \$100,000.

11 SEC. 114. Not more than 20 percent of the funds
12 made available in this title which are limited for obligation
13 during the current fiscal year shall be obligated during
14 the last two months of the fiscal year.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 115. Funds appropriated to the Department of
17 Defense for construction in prior years shall be available
18 for construction authorized for each such military depart-
19 ment by the authorizations enacted into law during the
20 current session of Congress.

21 SEC. 116. For military construction or family housing
22 projects that are being completed with funds otherwise ex-
23 pired or lapsed for obligation, expired or lapsed funds may
24 be used to pay the cost of associated supervision, inspec-
25 tion, overhead, engineering and design on those projects
26 and on subsequent claims, if any.

1 SEC. 117. Notwithstanding any other provision of
2 law, any funds made available to a military department
3 or defense agency for the construction of military projects
4 may be obligated for a military construction project or
5 contract, or for any portion of such a project or contract,
6 at any time before the end of the fourth fiscal year after
7 the fiscal year for which funds for such project were made
8 available, if the funds obligated for such project: (1) are
9 obligated from funds available for military construction
10 projects; and (2) do not exceed the amount appropriated
11 for such project, plus any amount by which the cost of
12 such project is increased pursuant to law.

13 SEC. 118. The Secretary of Defense is to provide the
14 Committees on Appropriations of both Houses of Congress
15 with an annual report by February 15, containing details
16 of the specific actions proposed to be taken by the Depart-
17 ment of Defense during the current fiscal year to encour-
18 age other member nations of the North Atlantic Treaty
19 Organization, Japan, Korea, and United States allies bor-
20 dering the Arabian Sea to assume a greater share of the
21 common defense burden of such nations and the United
22 States.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 119. In addition to any other transfer authority
25 available to the Department of Defense, proceeds depos-
26 ited to the Department of Defense Base Closure Account

1 established by section 207(a)(1) of the Defense Authoriza-
2 tion Amendments and Base Closure and Realignment Act
3 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)
4 of such Act, may be transferred to the account established
5 by section 2906(a)(1) of the Defense Base Closure and
6 Realignment Act of 1990 (10 U.S.C. 2687 note), to be
7 merged with, and to be available for the same purposes
8 and the same time period as that account.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 120. Subject to 30 days prior notification to the
11 Committees on Appropriations of both Houses of Con-
12 gress, such additional amounts as may be determined by
13 the Secretary of Defense may be transferred to: (1) the
14 Department of Defense Family Housing Improvement
15 Fund from amounts appropriated for construction in
16 “Family Housing” accounts, to be merged with and to be
17 available for the same purposes and for the same period
18 of time as amounts appropriated directly to the Fund; or
19 (2) the Department of Defense Military Unaccompanied
20 Housing Improvement Fund from amounts appropriated
21 for construction of military unaccompanied housing in
22 “Military Construction” accounts, to be merged with and
23 to be available for the same purposes and for the same
24 period of time as amounts appropriated directly to the
25 Fund: *Provided*, That appropriations made available to
26 the Funds shall be available to cover the costs, as defined

1 in section 502(5) of the Congressional Budget Act of
2 1974, of direct loans or loan guarantees issued by the De-
3 partment of Defense pursuant to the provisions of sub-
4 chapter IV of chapter 169 of title 10, United States Code,
5 pertaining to alternative means of acquiring and improv-
6 ing military family housing, military unaccompanied hous-
7 ing, and supporting facilities.

8 SEC. 121. None of the funds made available in this
9 title may be obligated for Partnership for Peace Programs
10 in the New Independent States of the former Soviet
11 Union.

12 SEC. 122. (a) Not later than 60 days before issuing
13 any solicitation for a contract with the private sector for
14 military family housing the Secretary of the military de-
15 partment concerned shall submit to the Committees on
16 Appropriations of both Houses of Congress the notice de-
17 scribed in subsection (b).

18 (b)(1) A notice referred to in subsection (a) is a no-
19 tice of any guarantee (including the making of mortgage
20 or rental payments) proposed to be made by the Secretary
21 to the private party under the contract involved in the
22 event of—

23 (A) the closure or realignment of the installa-
24 tion for which housing is provided under the con-
25 tract;

1 (B) a reduction in force of units stationed at
2 such installation; or

3 (C) the extended deployment overseas of units
4 stationed at such installation.

5 (2) Each notice under this subsection shall specify
6 the nature of the guarantee involved and assess the extent
7 and likelihood, if any, of the liability of the Federal Gov-
8 ernment with respect to the guarantee.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 123. In addition to any other transfer authority
11 available to the Department of Defense, amounts may be
12 transferred from the accounts established by sections
13 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
14 and Realignment Act of 1990 (10 U.S.C. 2687 note), to
15 the fund established by section 1013(d) of the Demonstra-
16 tion Cities and Metropolitan Development Act of 1966 (42
17 U.S.C. 3374) to pay for expenses associated with the
18 Homeowners Assistance Program. Any amounts trans-
19 ferred shall be merged with and be available for the same
20 purposes and for the same time period as the fund to
21 which transferred.

22 SEC. 124. Notwithstanding this or any other provi-
23 sion of law, funds made available in this title for operation
24 and maintenance of family housing shall be the exclusive
25 source of funds for repair and maintenance of all family
26 housing units, including general or flag officer quarters:

1 *Provided*, That not more than \$35,000 per unit may be
2 spent annually for the maintenance and repair of any gen-
3 eral or flag officer quarters without 30 days prior notifica-
4 tion to the Committees on Appropriations of both Houses
5 of Congress, except that an after-the-fact notification shall
6 be submitted if the limitation is exceeded solely due to
7 costs associated with environmental remediation that
8 could not be reasonably anticipated at the time of the
9 budget submission: *Provided further*, That the Under Sec-
10 retary of Defense (Comptroller) is to report annually to
11 the Committees on Appropriations of both Houses of Con-
12 gress all operation and maintenance expenditures for each
13 individual general or flag officer quarters for the prior fis-
14 cal year.

15 SEC. 125. None of the funds made available in this
16 title under the heading “North Atlantic Treaty Organiza-
17 tion Security Investment Program”, and no funds appro-
18 priated for any fiscal year before fiscal year 2008 for that
19 program that remain available for obligation, may be obli-
20 gated or expended for the conduct of studies of missile
21 defense.

22 SEC. 126. Whenever the Secretary of Defense or any
23 other official of the Department of Defense is requested
24 by the subcommittee on Military Construction, Veterans
25 Affairs, and Related Agencies of the Committee on Appro-

1 priations of the House of Representatives or the sub-
2 committee on Military Construction, Veterans Affairs, and
3 Related Agencies of the Committee on Appropriations of
4 the Senate to respond to a question or inquiry submitted
5 by the chairman or another member of that subcommittee
6 pursuant to a subcommittee hearing or other activity, the
7 Secretary (or other official) shall respond to the request,
8 in writing, within 21 days of the date on which the request
9 is transmitted to the Secretary (or other official).

10 SEC. 127. Amounts contained in the Ford Island Im-
11 provement Account established by subsection (h) of sec-
12 tion 2814 of title 10, United States Code, are appro-
13 priated and shall be available until expended for the pur-
14 poses specified in subsection (i)(1) of such section or until
15 transferred pursuant to subsection (i)(3) of such section.

16 SEC. 128. None of the funds made available in this
17 title, or in any Act making appropriations for military con-
18 struction which remain available for obligation, may be ob-
19 ligated or expended to carry out a military construction,
20 land acquisition, or family housing project at or for a mili-
21 tary installation approved for closure, or at a military in-
22 stallation for the purposes of supporting a function that
23 has been approved for realignment to another installation,
24 in 2005 under the Defense Base Closure and Realignment
25 Act of 1990 (part A of title XXIX of Public Law 101–

1 510; 10 U.S.C. 2687 note), unless such a project at a mili-
2 tary installation approved for realignment will support a
3 continuing mission or function at that installation or a
4 new mission or function that is planned for that installa-
5 tion, or unless the Secretary of Defense certifies that the
6 cost to the United States of carrying out such project
7 would be less than the cost to the United States of cancel-
8 ling such project, or if the project is at an active compo-
9 nent base that shall be established as an enclave or in the
10 case of projects having multi-agency use, that another
11 Government agency has indicated it will assume ownership
12 of the completed project. The Secretary of Defense may
13 not transfer funds made available as a result of this limi-
14 tation from any military construction project, land acquisi-
15 tion, or family housing project to another account or use
16 such funds for another purpose or project without the
17 prior approval of the Committees on Appropriations of
18 both Houses of Congress. This section shall not apply to
19 military construction projects, land acquisition, or family
20 housing projects for which the project is vital to the na-
21 tional security or the protection of health, safety, or envi-
22 ronmental quality: *Provided*, That the Secretary of De-
23 fense shall notify the congressional defense committees
24 within seven days of a decision to carry out such a military
25 construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 129. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation “Foreign Currency Fluctuations, Construction, Defense”, to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 130. None of the funds in this title shall be used for any activity related to the construction of an Outlying Landing Field in Washington County, North Carolina.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11,

1 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
2 pension benefits to or on behalf of veterans as authorized
3 by chapters 15, 51, 53, 55, and 61 of title 38, United
4 States Code; and burial benefits, the Reinstated Entitle-
5 ment Program for Survivors, emergency and other offi-
6 cers' retirement pay, adjusted-service credits and certifi-
7 cates, payment of premiums due on commercial life insur-
8 ance policies guaranteed under the provisions of title IV
9 of the Servicemembers Civil Relief Act (50 U.S.C. App.
10 541 et seq.) and for other benefits as authorized by sec-
11 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
12 53, 55, and 61 of title 38, United States Code,
13 \$41,236,322,000, to remain available until expended: *Pro-*
14 *vided*, That not to exceed \$25,033,000 of the amount ap-
15 propriated under this heading shall be reimbursed to
16 "General operating expenses" and "Medical administra-
17 tion" for necessary expenses in implementing the provi-
18 sions of chapters 51, 53, and 55 of title 38, United States
19 Code, the funding source for which is specifically provided
20 as the "Compensation and pensions" appropriation: *Pro-*
21 *vided further*, That such sums as may be earned on an
22 actual qualifying patient basis, shall be reimbursed to
23 "Medical care collections fund" to augment the funding
24 of individual medical facilities for nursing home care pro-
25 vided to pensioners as authorized.

1 READJUSTMENT BENEFITS

2 For the payment of readjustment and rehabilitation
3 benefits to or on behalf of veterans as authorized by chap-
4 ters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61 of
5 title 38, United States Code, \$3,300,289,000, to remain
6 available until expended: *Provided*, That expenses for re-
7 habilitation program services and assistance which the
8 Secretary is authorized to provide under subsection (a) of
9 section 3104 of title 38, United States Code, other than
10 under paragraphs (1), (2), (5), and (11) of that sub-
11 section, shall be charged to this account.

12 VETERANS INSURANCE AND INDEMNITIES

13 For military and naval insurance, national service life
14 insurance, servicemen's indemnities, service-disabled vet-
15 erans insurance, and veterans mortgage life insurance as
16 authorized by title 38, United States Code, chapters 19
17 and 21, \$41,250,000, to remain available until expended.

18 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

19 ACCOUNT

20 (INCLUDING TRANSFER OF FUNDS)

21 For the cost of direct and guaranteed loans, such
22 sums as may be necessary to carry out the program, as
23 authorized by subchapters I through III of chapter 37 of
24 title 38, United States Code: *Provided*, That such costs,
25 including the cost of modifying such loans, shall be as de-
26 fined in section 502 of the Congressional Budget Act of

1 1974: *Provided further*, That during fiscal year 2008,
2 within the resources available, not to exceed \$500,000 in
3 gross obligations for direct loans are authorized for spe-
4 cially adapted housing loans.

5 In addition, for administrative expenses to carry out
6 the direct and guaranteed loan programs, \$154,562,000,
7 which may be transferred to and merged with the appro-
8 priation for “General operating expenses”.

9 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
10 (INCLUDING TRANSFER OF FUNDS)

11 For the cost of direct loans, \$71,000, as authorized
12 by chapter 31 of title 38, United States Code: *Provided*,
13 That such costs, including the cost of modifying such
14 loans, shall be as defined in section 502 of the Congres-
15 sional Budget Act of 1974: *Provided further*, That funds
16 made available under this heading are available to sub-
17 sidize gross obligations for the principal amount of direct
18 loans not to exceed \$3,287,000.

19 In addition, for administrative expenses necessary to
20 carry out the direct loan program, \$311,000, which may
21 be transferred to and merged with the appropriation for
22 “General operating expenses”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the direct
5 loan program authorized by subchapter V of chapter 37
6 of title 38, United States Code, \$628,000, which may be
7 transferred to and merged with the appropriation for
8 “General operating expenses”: *Provided*, That no new
9 loans in excess of \$30,000,000 may be made in fiscal year
10 2008.

11 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
12 HOMELESS VETERANS PROGRAM ACCOUNT

13 For the administrative expenses to carry out the
14 guaranteed transitional housing loan program authorized
15 by subchapter VI of chapter 37 of title 38, United States
16 Code, not to exceed \$750,000 of the amounts appropriated
17 by this Act for “General operating expenses” and “Med-
18 ical administration” may be expended.

19 VETERANS HEALTH ADMINISTRATION
20 MEDICAL SERVICES
21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for furnishing, as authorized
23 by law, inpatient and outpatient care and treatment to
24 beneficiaries of the Department of Veterans Affairs and
25 veterans described in section 1705(a) of title 38, United
26 States Code, including care and treatment in facilities not

1 under the jurisdiction of the Department, and including
2 medical supplies and equipment, food services, and sala-
3 ries and expenses of health-care employees hired under
4 title 38, United States Code, and aid to State homes as
5 authorized by section 1741 of title 38, United States Code;
6 \$28,906,400,000, plus reimbursements, of which not less
7 than \$2,900,000,000 shall be expended for specialty men-
8 tal health care; not less than \$130,000,000 shall be ex-
9 pended for the homeless grants and per diem program;
10 not less than \$428,873,754 shall be expended for the sub-
11 stance abuse program; and not less than \$100,275,000
12 shall be expended for blind rehabilitation services: *Pro-*
13 *vided*, That of the funds made available under this head-
14 ing, not to exceed \$1,100,000,000 shall be available until
15 September 30, 2009: *Provided further*, That, notwith-
16 standing any other provision of law, the Secretary of Vet-
17 erans Affairs shall establish a priority for the provision
18 of medical treatment for veterans who have service-con-
19 nected disabilities, lower income, or have special needs:
20 *Provided further*, That, notwithstanding any other provi-
21 sion of law, the Secretary of Veterans Affairs shall give
22 priority funding for the provision of basic medical benefits
23 to veterans in enrollment priority groups 1 through 6: *Pro-*
24 *vided further*, That, notwithstanding any other provision
25 of law, the Secretary of Veterans Affairs may authorize

1 the dispensing of prescription drugs from Veterans Health
2 Administration facilities to enrolled veterans with privately
3 written prescriptions based on requirements established by
4 the Secretary: *Provided further*, That the implementation
5 of the program described in the previous proviso shall
6 incur no additional cost to the Department of Veterans
7 Affairs: *Provided further*, That for the DOD–VA Health
8 Care Sharing Incentive Fund, as authorized by section
9 8111(d) of title 38, United States Code, a minimum of
10 \$15,000,000, to remain available until expended, for any
11 purpose authorized by section 8111 of title 38, United
12 States Code.

13 MEDICAL ADMINISTRATION

14 For necessary expenses in the administration of the
15 medical, hospital, nursing home, domiciliary, construction,
16 supply, and research activities, as authorized by law; ad-
17 ministrative expenses in support of capital policy activi-
18 ties; and administrative and legal expenses of the Depart-
19 ment for collecting and recovering amounts owed the De-
20 partment as authorized under chapter 17 of title 38,
21 United States Code, and the Federal Medical Care Recov-
22 ery Act (42 U.S.C. 2651 et seq.); \$3,635,600,000, plus
23 reimbursements, of which \$250,000,000 shall be available
24 until September 30, 2009.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$4,100,000,000, plus reimbursements, of which \$250,000,000 shall be available until September 30, 2009: *Provided*, That \$300,000,000 for non-recurring maintenance provided under this heading shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code,

1 \$480,000,000, plus reimbursements, to remain available
2 until September 30, 2009.

3 DEPARTMENTAL ADMINISTRATION

4 GENERAL OPERATING EXPENSES

5 For necessary operating expenses of the Department
6 of Veterans Affairs, not otherwise provided for, including
7 administrative expenses in support of Department-Wide
8 capital planning, management and policy activities, uni-
9 forms, or allowances therefor; not to exceed \$25,000 for
10 official reception and representation expenses; hire of pas-
11 senger motor vehicles; and reimbursement of the General
12 Services Administration for security guard services and
13 the Department of Defense for the cost of overseas em-
14 ployee mail, \$1,598,500,000: *Provided*, That expenses for
15 services and assistance authorized under paragraphs (1),
16 (2), (5), and (11) of section 3104(a) of title 38, United
17 States Code, that the Secretary of Veterans Affairs deter-
18 mines are necessary to enable entitled veterans: (1) to the
19 maximum extent feasible, to become employable and to ob-
20 tain and maintain suitable employment; or (2) to achieve
21 maximum independence in daily living, shall be charged
22 to this account: *Provided further*, That the Veterans Bene-
23 fits Administration shall be funded at not less than
24 \$1,324,957,000: *Provided further*, That of the funds made
25 available under this heading, not to exceed \$75,000,000

1 shall be available for obligation until September 30, 2009:
2 *Provided further*, That from the funds made available
3 under this heading, the Veterans Benefits Administration
4 may purchase (on a one-for-one replacement basis only)
5 up to two passenger motor vehicles for use in operations
6 of that Administration in Manila, Philippines.

7 INFORMATION TECHNOLOGY SYSTEMS

8 For necessary expenses for information technology
9 systems and telecommunications support, including devel-
10 opmental information systems and operational information
11 systems and pay and associated cost for operations and
12 maintenance associated staff; for the capital asset acquisi-
13 tion of information technology systems, including manage-
14 ment and related contractual costs of said acquisitions, in-
15 cluding contractual costs associated with operations au-
16 thorized by chapter 3109 of title 5, United States Code,
17 \$1,859,217,000, to remain available until September 30,
18 2009: *Provided*, That none of these funds may be obli-
19 gated until the Secretary of Veterans Affairs submits to
20 the Committees on Appropriations of both Houses of Con-
21 gress, and such Committees approve, a plan for expendi-
22 ture that: (1) meets the capital planning and investment
23 control review requirements established by the Office of
24 Management and Budget; (2) complies with the Depart-
25 ment of Veterans Affairs enterprise architecture; (3) con-
26 forms with an established enterprise life cycle method-

1 ology; and (4) complies with the acquisition rules, require-
 2 ments, guidelines, and systems acquisition management
 3 practices of the Federal Government: *Provided further*,
 4 That within 30 days of the date of the enactment of this
 5 Act, the Secretary of Veterans Affairs shall submit to the
 6 Committees on Appropriations of both Houses of Congress
 7 a reprogramming base letter which provides, by project,
 8 the costs included in this appropriation.

9 NATIONAL CEMETERY ADMINISTRATION

10 For necessary expenses of the National Cemetery Ad-
 11 ministration for operations and maintenance, not other-
 12 wise provided for, including uniforms or allowances there-
 13 for; cemeterial expenses as authorized by law; purchase
 14 of one passenger motor vehicle for use in cemeterial oper-
 15 ations; and hire of passenger motor vehicles,
 16 \$170,000,000, of which not to exceed \$7,800,000 shall be
 17 available until September 30, 2009.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
 20 General in carrying out the provisions of the Inspector
 21 General Act of 1978 (5 U.S.C. App.), \$76,500,000, of
 22 which \$3,630,000 shall remain available until September
 23 30, 2009.

24 CONSTRUCTION, MAJOR PROJECTS

25 For constructing, altering, extending, and improving
 26 any of the facilities, including parking projects, under the

1 jurisdiction or for the use of the Department of Veterans
2 Affairs, or for any of the purposes set forth in sections
3 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,
4 and 8122 of title 38, United States Code, including plan-
5 ning, architectural and engineering services, construction
6 management services, maintenance or guarantee period
7 services costs associated with equipment guarantees pro-
8 vided under the project, services of claims analysts, offsite
9 utility and storm drainage system construction costs, and
10 site acquisition, where the estimated cost of a project is
11 more than the amount set forth in section 8104(a)(3)(A)
12 of title 38, United States Code, or where funds for a
13 project were made available in a previous major project
14 appropriation, \$1,410,800,000, to remain available until
15 expended, of which \$2,000,000 shall be to make reim-
16 bursements as provided in section 13 of the Contract Dis-
17 putes Act of 1978 (41 U.S.C. 612) for claims paid for
18 contract disputes: *Provided*, That except for advance plan-
19 ning activities, including needs assessments which may or
20 may not lead to capital investments, and other capital
21 asset management related activities, including portfolio
22 development and management activities, and investment
23 strategy studies funded through the advance planning
24 fund and the planning and design activities funded
25 through the design fund, including needs assessments

1 which may or may not lead to capital investments, none
2 of the funds appropriated under this heading shall be used
3 for any project which has not been approved by the Con-
4 gress in the budgetary process: *Provided further*, That
5 funds provided in this appropriation for fiscal year 2008,
6 for each approved project shall be obligated: (1) by the
7 awarding of a construction documents contract by Sep-
8 tember 30, 2008; and (2) by the awarding of a construc-
9 tion contract by September 30, 2009: *Provided further*,
10 That the Secretary of Veterans Affairs shall promptly sub-
11 mit to the Committees on Appropriations of both Houses
12 of Congress a written report on any approved major con-
13 struction project for which obligations are not incurred
14 within the time limitations established above: *Provided*
15 *further*, That none of the funds appropriated in this or
16 any other Act may be used to reduce the mission, services,
17 or infrastructure, including land, of the 18 facilities on
18 the Capital Asset Realignment for Enhanced Services
19 (CARES) list requiring further study, as specified by the
20 Secretary of Veterans Affairs, without prior approval of
21 the Committees on Appropriations of both Houses of Con-
22 gress.

23 CONSTRUCTION, MINOR PROJECTS

24 For constructing, altering, extending, and improving
25 any of the facilities, including parking projects, under the
26 jurisdiction or for the use of the Department of Veterans

1 Affairs, including planning and assessments of needs
2 which may lead to capital investments, architectural and
3 engineering services, maintenance or guarantee period
4 services costs associated with equipment guarantees pro-
5 vided under the project, services of claims analysts, offsite
6 utility and storm drainage system construction costs, and
7 site acquisition, or for any of the purposes set forth in
8 sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109,
9 8110, 8122, and 8162 of title 38, United States Code,
10 where the estimated cost of a project is equal to or less
11 than the amount set forth in section 8104(a)(3)(A) of title
12 38, United States Code, \$615,000,000, to remain avail-
13 able until expended, along with unobligated balances of
14 previous “Construction, minor projects” appropriations
15 which are hereby made available for any project where the
16 estimated cost is equal to or less than the amount set forth
17 in such section: *Provided*, That funds in this account shall
18 be available for: (1) repairs to any of the nonmedical facili-
19 ties under the jurisdiction or for the use of the Depart-
20 ment which are necessary because of loss or damage
21 caused by any natural disaster or catastrophe; and (2)
22 temporary measures necessary to prevent or to minimize
23 further loss by such causes: *Provided further*, That within
24 30 days of enactment of this Act, the Secretary of Vet-
25 erans Affairs shall submit to the Committees on Appro-

1 priations of both Houses of Congress a reprogramming
 2 base letter which provides, by project, the costs included
 3 in this appropriation.

4 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
 5 FACILITIES

6 For grants to assist States to acquire or construct
 7 State nursing home and domiciliary facilities and to re-
 8 model, modify, or alter existing hospital, nursing home,
 9 and domiciliary facilities in State homes, for furnishing
 10 care to veterans as authorized by sections 8131 through
 11 8137 of title 38, United States Code, \$165,000,000, to
 12 remain available until expended.

13 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
 14 CEMETERIES

15 For grants to assist States in establishing, expand-
 16 ing, or improving State veterans cemeteries as authorized
 17 by section 2408 of title 38, United States Code,
 18 \$37,000,000, to remain available until expended.

19 ADMINISTRATIVE PROVISIONS
 20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 201. Any appropriation for fiscal year 2008 for
 22 “Compensation and pensions”, “Readjustment benefits”,
 23 and “Veterans insurance and indemnities” may be trans-
 24 ferred as necessary to any other of the mentioned appro-
 25 priations: *Provided*, That before a transfer may take place,
 26 the Secretary of Veterans Affairs shall request from the

1 Committees on Appropriations of both Houses of Congress
2 the authority to make the transfer and such Committees
3 issue an approval, or absent a response, a period of 30
4 days has elapsed.

5 SEC. 202. Appropriations available in this title for
6 salaries and expenses shall be available for services au-
7 thorized by section 3109 of title 5, United States Code,
8 hire of passenger motor vehicles; lease of a facility or land
9 or both; and uniforms or allowances therefore, as author-
10 ized by sections 5901 through 5902 of title 5, United
11 States Code.

12 SEC. 203. No appropriations in this title (except the
13 appropriations for “Construction, major projects”, and
14 “Construction, minor projects”) shall be available for the
15 purchase of any site for or toward the construction of any
16 new hospital or home.

17 SEC. 204. No appropriations in this title shall be
18 available for hospitalization or examination of any persons
19 (except beneficiaries entitled to such hospitalization or ex-
20 amination under the laws providing such benefits to vet-
21 erans, and persons receiving such treatment under sec-
22 tions 7901 through 7904 of title 5, United States Code,
23 or the Robert T. Stafford Disaster Relief and Emergency
24 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
25 bursement of the cost of such hospitalization or examina-

tion is made to the “Medical services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 205. Appropriations available in this title for “Compensation and pensions”, “Readjustment benefits”, and “Veterans insurance and indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2007.

SEC. 206. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 207. Notwithstanding any other provision of law, during fiscal year 2008, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans’ Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the “General operating expenses” account for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement

1 shall be made only from the surplus earnings accumulated
 2 in such an insurance program during fiscal year 2008 that
 3 are available for dividends in that program after claims
 4 have been paid and actuarially determined reserves have
 5 been set aside: *Provided further*, That if the cost of admin-
 6 istration of such an insurance program exceeds the
 7 amount of surplus earnings accumulated in that program,
 8 reimbursement shall be made only to the extent of such
 9 surplus earnings: *Provided further*, That the Secretary
 10 shall determine the cost of administration for fiscal year
 11 2008 which is properly allocable to the provision of each
 12 such insurance program and to the provision of any total
 13 disability income insurance included in that insurance pro-
 14 gram.

15 SEC. 208. Amounts deducted from enhanced-use
 16 lease proceeds to reimburse an account for expenses in-
 17 curred by that account during a prior fiscal year for pro-
 18 viding enhanced-use lease services, may be obligated dur-
 19 ing the fiscal year in which the proceeds are received.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 209. Funds available in this title or funds for
 22 salaries and other administrative expenses shall also be
 23 available to reimburse the Office of Resolution Manage-
 24 ment of the Department of Veterans Affairs and the Of-
 25 fice of Employment Discrimination Complaint Adjudica-
 26 tion under section 319 of title 38, United States Code,

1 for all services provided at rates which will recover actual
2 costs but not exceed \$32,067,000 for the Office of Resolu-
3 tion Management and \$3,148,000 for the Office of Em-
4 ployment and Discrimination Complaint Adjudication:
5 *Provided*, That payments may be made in advance for
6 services to be furnished based on estimated costs: *Provided*
7 *further*, That amounts received shall be credited to “Gen-
8 eral operating expenses” for use by the office that pro-
9 vided the service.

10 SEC. 210. No appropriations in this title shall be
11 available to enter into any new lease of real property if
12 the estimated annual rental is more than \$300,000 unless
13 the Secretary submits a report which the Committees on
14 Appropriations of both Houses of Congress approve within
15 30 days following the date on which the report is received.

16 SEC. 211. No funds of the Department of Veterans
17 Affairs shall be available for hospital care, nursing home
18 care, or medical services provided to any person under
19 chapter 17 of title 38, United States Code, for a non-serv-
20 ice-connected disability described in section 1729(a)(2) of
21 such title, unless that person has disclosed to the Sec-
22 retary of Veterans Affairs, in such form as the Secretary
23 may require, current, accurate third-party reimbursement
24 information for purposes of section 1729 of such title: *Pro-*
25 *vided*, That the Secretary may recover, in the same man-

ner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, major projects” and “Construction, minor projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, major projects” and “Construction, minor projects”.

SEC. 213. Amounts made available under “Medical services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

1 (2) for funeral expenses, burial expenses, and
2 other expenses incidental to funerals and burials for
3 beneficiaries receiving care in the Department.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 214. Such sums as may be deposited to the
6 Medical Care Collections Fund pursuant to section 1729A
7 of title 38, United States Code, may be transferred to
8 “Medical services”, to remain available until expended for
9 the purposes of that account.

10 SEC. 215. Notwithstanding any other provision of
11 law, the Secretary of Veterans Affairs shall allow veterans
12 who are eligible under existing Department of Veterans
13 Affairs medical care requirements and who reside in Alas-
14 ka to obtain medical care services from medical facilities
15 supported by the Indian Health Service or tribal organiza-
16 tions. The Secretary shall: (1) limit the application of this
17 provision to rural Alaskan veterans in areas where an ex-
18 isting Department of Veterans Affairs facility or Veterans
19 Affairs-contracted service is unavailable; (2) require par-
20 ticipating veterans and facilities to comply with all appro-
21 priate rules and regulations, as established by the Sec-
22 retary; (3) require this provision to be consistent with
23 Capital Asset Realignment for Enhanced Services activi-
24 ties; and (4) result in no additional cost to the Department
25 of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, major projects” and “Construction, minor projects” accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 218. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

SEC. 220. Amounts made available for the “Information technology systems” account may be reprogrammed between projects: *Provided*, That no project may be increased or decreased by more than \$1,000,000 of cost be-

1 fore the Secretary submits to the Committees on Appro-
2 priations of both Houses of Congress a reprogramming re-
3 quest and the Committees issue an approval, or absent
4 a response, a period of 30 days has elapsed.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 221. Any balances in prior year accounts estab-
7 lished for the payment of benefits under the Reinstated
8 Entitlement Program for Survivors shall be transferred to
9 and merged with amounts available under the “Compensa-
10 tion and pensions” account, and receipts that would other-
11 wise be credited to the accounts established for the pay-
12 ment of benefits under the Reinstated Entitlement Pro-
13 gram for Survivors program shall be credited to amounts
14 available under the “Compensation and pensions” account.

15 SEC. 222. Amounts made available for the “Con-
16 struction, minor projects” account may be reprogrammed
17 between projects: *Provided*, That no project may be in-
18 creased or decreased by more than \$1,000,000 of cost be-
19 fore the Secretary submits to the Committees on Appro-
20 priations of both Houses of Congress a reprogramming re-
21 quest and the Committees issue an approval, or absent
22 a response, a period of 30 days has elapsed.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$7,500 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$43,470,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission,
21 \$11,000,000, to remain available until expended, for pur-
22 poses authorized by section 2109 of title 36, United States
23 Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS
2 CLAIMS
3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$21,397,000, of which \$1,300,000
8 shall be available for the purpose of providing financial
9 assistance as described, and in accordance with the proc-
10 ess and reporting procedures set forth, under this heading
11 in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL
13 CEMETERIAL EXPENSES, ARMY
14 SALARIES AND EXPENSES

15 For necessary expenses, as authorized by law, for
16 maintenance, operation, and improvement of Arlington
17 National Cemetery and Soldiers' and Airmen's Home Na-
18 tional Cemetery, including the purchase of two passenger
19 motor vehicles for replacement only, and not to exceed
20 \$1,000 for official reception and representation expenses,
21 \$30,592,000, to remain available until expended. In addi-
22 tion, such sums as may be necessary for parking mainte-
23 nance, repairs and replacement, to be derived from the
24 Lease of Department of Defense Real Property for De-
25 fense Agencies account.

1 ARMED FORCES RETIREMENT HOME
2 TRUST FUND

3 For expenses necessary for the Armed Forces Retire-
4 ment Home to operate and maintain the Armed Forces
5 Retirement Home—Washington, District of Columbia and
6 the Armed Forces Retirement Home—Gulfport, Mis-
7 sissippi, to be paid from funds available in the Armed
8 Forces Retirement Home Trust Fund, \$55,724,000.

9 ARMED FORCES RETIREMENT HOME
10 FEDERAL FUND PAYMENT

11 For payment to the “Armed Forces Retirement
12 Home”, \$800,000, to remain available until expended.

13 TITLE IV

14 GENERAL PROVISIONS

15 SEC. 401. No part of any appropriation contained in
16 this Act shall remain available for obligation beyond the
17 current fiscal year unless expressly so provided herein.

18 SEC. 402. Such sums as may be necessary for fiscal
19 year 2008 pay raises for programs funded by this Act shall
20 be absorbed within the levels appropriated in this Act.

21 SEC. 403. None of the funds made available in this
22 Act may be used for any program, project, or activity,
23 when it is made known to the Federal entity or official
24 to which the funds are made available that the program,
25 project, or activity is not in compliance with any Federal

1 law relating to risk assessment, the protection of private
2 property rights, or unfunded mandates.

3 SEC. 404. No part of any funds appropriated in this
4 Act shall be used by an agency of the executive branch,
5 other than for normal and recognized executive-legislative
6 relationships, for publicity or propaganda purposes, and
7 for the preparation, distribution or use of any kit, pam-
8 phlet, booklet, publication, radio, television, or film presen-
9 tation designed to support or defeat legislation pending
10 before Congress, except in presentation to Congress itself.

11 SEC. 405. All departments and agencies funded under
12 this Act are encouraged, within the limits of the existing
13 statutory authorities and funding, to expand their use of
14 “E-Commerce” technologies and procedures in the con-
15 duct of their business practices and public service activi-
16 ties.

17 SEC. 406. None of the funds made available in this
18 Act may be transferred to any department, agency, or in-
19 strumentality of the United States Government except
20 pursuant to a transfer made by, or transfer authority pro-
21 vided in, this or any other appropriations Act.

22 SEC. 407. Unless stated otherwise, all reports and no-
23 tifications required by this Act shall be submitted to the
24 Subcommittee on Military Construction, Veterans Affairs,
25 and Related Agencies of the Committee on Appropriations

1 of the House of Representatives and the Subcommittee on
2 Military Construction, Veterans Affairs, and Related
3 Agencies of the Committee on Appropriations of the Sen-
4 ate.

5 SEC. 408. The Director of the Congressional Budget
6 Office shall, not later than February 1, 2008, submit to
7 the Committees on Appropriations of the House of Rep-
8 resentatives and the Senate a report projecting annual ap-
9 propriations necessary for the Department of Veterans Af-
10 fairs to continue providing necessary health care to vet-
11 erans for fiscal years 2009 through 2012.

12 This Act may be cited as the “Military Construction
13 and Veterans Affairs Appropriations Act, 2008”.

Union Calendar No. 110

110TH CONGRESS
1ST Session

H. R. 2642

[Report No. 110-186]

A BILL

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

JUNE 11, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed